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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS — AUSTIN DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

CHIOMANWAUWA, an individual,

NO. 1:18-cv-01130-RP

Plaintiff

v.

KINGSLEY UGOGHUKWU, an
individual.

**MOTION TO REDACT SENSITIVE
PERSONAL AND FINANCIAL
INFORMATION OR SEAL**

Defendant

This Plaintiff hereby respectfully requests that the Court seal or redact sensitive information in the suit in accordance with Rule 76 of the Texas Rules of Civil Procedure or redact sensitive family law, financial and personal details . While the merits of this case are legitimate and authentic because Kingsley did not provide for me, the sensitive family issues, financial details and personal information, including the spiteful and false allegations by Kingsley, which I was not given the opportunity to dispute in the Preliminary Injunction has brought so much embarrassment, threats, psychological and emotional pain to my family and is putting my life and child at risk. My family in Nigeria has been receiving threats of kidnap for money.

Motion to Seal

CASENO.1:18cv01130.RP

I. FACTS

This is a lawsuit for financial support that is owed to Plaintiff Chioma Nwauwa because Defendant Kingsley Ugochukwu served as her U.S. immigration sponsor, signing a binding contract for her benefit. The Complaint in the case at bar was filed approximately a year ago on December 31, 2018. Defendant was personally served with the Summons and Complaint on February 15, 2019. Defendant then appeared in this matter pro se and filed a series of three motions to dismiss which have been mooted by this Court. Plaintiff filed a voluntary motion to dismiss the suit without prejudice in the best interests of the child and to encourage an amicable coparenting. The Court granted plaintiff's motion and the suit was dismissed without prejudice.

Motion to Seal—

CASENo.1:18cv01130.RP

II. ARGUMENT

Rule 76 Texas Rules of Civil Procedure states that court records, as defined in this rule, are presumed to be open to the general public and may be sealed only upon a showing of all of the following:

- (a) a specific, serious and substantial interest which clearly outweighs:
 - (1) this presumption of openness;
 - (2) any probable adverse effect that sealing will have upon the general public health or safety;
- (b) no less restrictive means than sealing records will adequately and effectively protect the specific interest asserted.

- (a) A specific, serious and substantial interest which clearly outweighs

- (1) Presumption of openness

The threats of kidnap against my family and I and the sensitive financial and personal information and extremely false and spiteful allegations by Kingsley which are shown in the preliminary injunction order and which clearly was not addressed by my counsel is jeopardizing the saftey of my family, child and the plaintiff and putting us at risk of grave harm, this issue is of specific, serious and of substantial interest

- (2) Any probable adverse effect that sealing will have upon the general public health or safety;

The redacting of sensitive information or sealing of this suit does not prejudice or have effect or bearing on public health and saftey of the public, instead it has significant adverse effect on the plaintiff, child and her family.

- (b) No less restrictive means than sealing records will adequately and effectively protect the specific interest asserted.

The less restrictive means that will protect the specific interest is redacting sensitive personal and financial information, especially the notes added in the preliminary injunction order. I also was very shocked to learn that the fraud allegation was not disputed, neither was the allegation by Kingsley of causing an overdraft of a joint bank account he was clearly using for his personal gain. These allegations are wrong and I dispute them in all ramifications.

III. CONCLUSION

Plaintiff has no interest in pursuing sanctions against Defendant for his spiteful, defamatory and frivolous allegations at this time and just wants to put an end to any suit or situation that will impede safety of the plaintiff and child and continue to prevent a successful and amicable coparenting with Kingsley. Plaintiff also does request that the Court seal this suit or sensitive information redacted because of the sensitive family law issues and personal and financial information which are now in the public domain and causing more harm than if left unsealed. I respectfully request that this Court enter an Order (a) Sealing the case on plaintiff's behalf (b) Or Redacting financial details and notes entered as undisputed in the preliminary injunction with regards to induced into marriage and overdraft of joint account (c) Such other and further relief that this court deems just and proper.

CERTIFICATE OF SERVICE

I hereby certify that on this today I caused the foregoing document and all exhibits to be served upon the following individuals in the manner indicated below:

| | |
|--|---|
| Manner of service: Priority mail, postage prepaid; and Email | Kingsley Ugochukwu 515 E Slaughter Lane Apt 2303 Austin TX 78744-0044 <u>Kingsleyugochukwu@gmail.com</u> <u>kingzbosskingz@gmail.com</u> |
|--|---|

Dated: January 7th, 2020

/s/ Chioma Nwauwa

N

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS — AUSTIN DIVISION

CHIOMA NWAUWA, an individual,

Plaintiff, NO. 1:18-cv-01130-RP

v.

KINGSLEY UGOCHUKWU, an individual.

(Proposed] ORDER ON PLAINTIFF'S MOTION TO SEAL

Defendant

Order Granting Motion to Redact Sensitive Information or Seal

THE COURT received the Motion to Seal filed by Chioma Nwauwa, Plaintiff and ORDERS this case sealed.

SIGNED on

ORDER — PAGE 1

CPE NO. 1:18-cv-01130-RP

DATED this _____ day of _____, 2020,

Hon. Robert L. Pittman United States
District Judge

Presented by:

DATED: January 7, 2020

ORDER — PAGE 2

CASE NO. 1:15-cv-01130-RP

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